

Atty. Dkt. No. WD0109



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Mark A. Fritzke


Title: BALL BAT HAVING AN INSERT  
WITH VARIABLE WALL  
THICKNESS

Prior Appl. No.: 10/033,805

Prior Appl. Filing Date: December 28, 2001

Examiner: TBD

Art Unit: TBD

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EU 996022574 US	January 21, 2004
(Express Mail Label Number)	(Date of Deposit)
Terence P. O'Brien (Printed Name)	
 (Signature)	

**UTILITY PATENT APPLICATION**  
**TRANSMITTAL**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a:

☐ Continuing      ☐ Division    ☒ Continuation-In-Part (CIP)

of the above-identified copending prior application in which no patenting, abandonment, or termination of proceedings has occurred. Priority to the above-identified prior application is hereby claimed under 35 U.S.C. §120 for this continuing application. The entire disclosure of the above-identified prior application is considered as being part of the disclosure of the accompanying continuation application and is hereby incorporated by reference therein.

Enclosed are:

- ☒ Specification, Claim(s), and Abstract (47 pages).
- ☒ Formal drawings (12 sheets, Figures 1-12).
- ☒ Declaration and Power of Attorney (3 pages).

- ☒ Assignment of the invention to Wilson Sporting Goods Co.
- ☒ Assignment Recordation Cover Sheet.
- ☐ Check in the amount of \$40.00 for Assignment recordation.
- ☐ Request for application not to be published with certification under 35 USC 122(b)(2)(B)(i).
- ☒ Application Data Sheet (37 CFR 1.76).

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$770.00	\$770.00
Total Claims:	89	- 20	= 69	x \$18.00	= \$ 1242.00
Independents:	6	- 3	= 3	x \$86.00	= \$258.00
If any Multiple Dependent Claim(s) present:			+ 3	\$270.00	= \$0.00
				SUBTOTAL:	= \$ .00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):					= \$0.00
				TOTAL FILING FEE:	= \$2270.00

- ☐ A check in the amount of \$2270.00 to cover the filing fee is enclosed.
- ☐ The required filing fees are not enclosed but will be submitted in response to the Notice to File Missing Parts of Application.
- ☒ The Commissioner is hereby authorized to charge the filing fee in the amount of \$2270.00 to Deposit Account No. 501959.
- ☒ The Commissioner is hereby authorized to charge the assignment recordation fee of \$40.00 to Deposit Account No. 501959.
- ☒ Commissioner is hereby authorized to charge the any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 501959. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 501959.

Please direct all correspondence to the undersigned attorney at the address indicated below.

Respectfully submitted,

Date 21 January 2004

Wilson Sporting Goods Co.  
8700 W. Bryn Mawr Avenue  
Chicago, IL 60631

Telephone: (773) 714-6498  
Facsimile: (773) 714-4557

By 

Terence P. O'Brien  
Attorney for Applicant  
Registration No. 43,840